

**U.S. District Court  
District of Maryland (Baltimore)  
CRIMINAL DOCKET FOR CASE #: 1:17-mj-00845-ADC All Defendants  
*Internal Use Only***

Case title: USA v. Rivello

Date Filed: 03/17/2017

Other court case number: 3-17mj192-BK Northern District of Texas

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Assigned to: Magistrate Judge A. David Copperthite

**Defendant (1)**

**John Rivello**

**Pending Counts**

**Disposition**

None

**Highest Offense Level (Opening)**

None

**Terminated Counts**

**Disposition**

None

**Highest Offense Level (Terminated)**

None

**Complaints**

**Disposition**

None

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**Plaintiff**

**USA**

represented by **P Michael Cunningham**  
Office of the United States Attorney  
36 S Charles St 4th Fl  
Baltimore, MD 21201  
14102094884  
Fax: 14109623091  
Email: [michael.cunningham@usdoj.gov](mailto:michael.cunningham@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
**Designation: Assistant US Attorney**  
**Bar Status: Active**

Email All Attorneys  
Email All Attorneys and Additional Recipients

Date Filed	#	Page	Docket Text
03/17/2017	<u>1</u>	3	Arrest Warrant Returned Executed on 3/17/2017 in case as to John Rivello(kvs, Deputy Clerk) (Entered: 03/20/2017)
03/17/2017	<u>2</u>	5	Initial Appearance in Rule 5(c)(3) Proceedings as to John Rivello held on 3/17/2017 before Magistrate Judge A. David Copperthite.(FTR: Vockroth) (kvs, Deputy Clerk) (Entered: 03/20/2017)
03/17/2017	<u>3</u>	6	CJA 23 Financial Affidavit by John Rivello (kvs, Deputy Clerk) (Entered: 03/20/2017)
03/17/2017	<u>4</u>	8	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to John Rivello. Signed by Magistrate Judge A. David Copperthite on 3/17/2017. (kvs, Deputy Clerk) (Entered: 03/20/2017)
03/17/2017	<u>5</u>	9	WAIVER of Rule 5(c)(3) Hearing by John Rivello(kvs, Deputy Clerk) (Entered: 03/20/2017)
03/17/2017	<u>6</u>	10	ORDER Setting Conditions of Release as to John Rivello. Signed by Magistrate Judge A. David Copperthite on 3/17/2017. (kvs, Deputy Clerk) (Entered: 03/20/2017)

**SEALED**

## United States District Court

NORTHERN

DISTRICT OF

TEXAS

UNITED STATES OF AMERICA

V.

**WARRANT FOR ARREST**

JOHN RAYNE RIVELLO

CASE NUMBER:

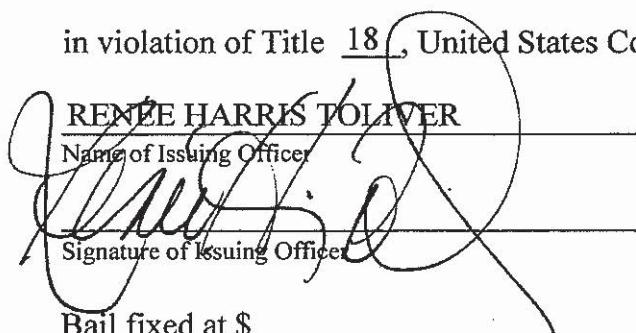
**3 - 17 MJ 192 - BK**To: The United States Marshal  
and any Authorized United States OfficerYOU ARE HEREBY COMMANDED to arrest JOHN RAYNE RIVELLO  
and bring him or her forthwith to the nearest magistrate to answer a(n)

- Indictment     Information     Complaint     Order of court     Violation Notice     Probation Violation Petition

charging him or her with (brief description of offense)

with the intent to kill/injure/harass/intimidate, did knowingly &amp; intentionally use an interactive computer or electronic communication service to engage in a course of conduct that placed a person in reasonable fear of death/serious bodily injury and caused/attempted to cause/would be reasonable expected to cause substantial emotional distress to that person.

in violation of Title 18, United States Code, Section (s) 2261A(2)(A) and (B).

  
**RENEE HARRIS TOLIVER**  
 Name of Issuing Officer  
 Signature of Issuing Officer

Bail fixed at \$ \_\_\_\_\_ by \_\_\_\_\_

**United States Magistrate Judge**  
 Title of Issuing Officer

**Dallas, Texas**  
 Date and Location

Name of Judicial Office

**RETURN**

This warrant was received and executed with the arrest of the above named defendant at \_\_\_\_\_

DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		

## AO 442 (Rev. 12/10) Warrant for Arrest

THE FOLLOWING IS FURNISHED FOR INFORMATION ONLY:

DEFENDANT'S NAME: JOHN RAYNE RIVELLO

ALIAS: \_\_\_\_\_

LAST KNOWN RESIDENCE: 1808 East Clear Lake Drive, Salisbury, Maryland

LAST KNOWN EMPLOYMENT: \_\_\_\_\_

PLACE OF BIRTH: \_\_\_\_\_

DATE OF BIRTH: 06/05/1987 correct DOB 08/05/1987

SOCIAL SECURITY NUMBER: 220-23-9371

HEIGHT: 6' WEIGHT: 180 lbs

SEX: M RACE: W

HAIR: brown EYES: brown

SCARS, TATTOOS, OTHER DISTINGUISHING MARKS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FBI NUMBER: \_\_\_\_\_

COMPLETE DESCRIPTION OF AUTO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_INVESTIGATIVE AGENCY AND ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## MAGISTRATE JUDGE CRIMINAL MINUTES

**DATE:** March 17, 2017      **JUDGE:** A. David Copperthite      **COURTROOM:** 7B

**TIME:** 3:17 – 3:42      **INTERPRETER:** n/a

**AUSA:** Michael Cunningham      **DFDT ATTORNEY:** Nicholas Vitek, AFPD

**UNITED STATES OF AMERICA v. JOHN RIVELLO**

**CASE NO.** 17-mj-0845-ADC      **NO. OF COUNTS:**

**DFDT'S AGE:** 29      **YEAR OF BIRTH:**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> <b>Initial Appearance</b>                        | <input type="checkbox"/> Defendant to Retain Counsel |
| <input type="checkbox"/> Arraignment   | <input type="checkbox"/> Violation Notice            |
| <input checked="" type="checkbox"/> <b>Rule 5(c)(3) Hearing-Northern Dist. Texas</b> | <input type="checkbox"/> Indictment                  |
| <input type="checkbox"/> Sentencing  | <input type="checkbox"/> Superseding Indictment      |
| <input type="checkbox"/> Bail Review/Revocation Hearing                              | <input type="checkbox"/> Information                 |
| <input type="checkbox"/> Violation of Probation                                      | <input type="checkbox"/> Complaint                   |
| <input type="checkbox"/> Violation of Supervised Release                             | <input type="checkbox"/> Preliminary Hearing: _____  |
| <input type="checkbox"/> Detention Hearing   | <input type="checkbox"/> Preliminary Hearing WAIVED  |

**Defendant arraigned and plead “NOT GUILTY” as to Count(s) \_\_\_\_\_**

- |  |
|--|
| <input checked="" type="checkbox"/> Defendant advised of rights to silence and counsel                             |
| <input type="checkbox"/> Defendant temporarily detained pending detention hearing on _____ / _____ / _____ @ _____ |
| <input type="checkbox"/> Defendant detained by agreement   |
| <input type="checkbox"/> Defendant ordered detained after detention hearing  |
| <input checked="" type="checkbox"/> FPD appointed as counsel   |
| <input checked="" type="checkbox"/> Waiver of Rule 5(c)(3) Hearings  |
| <input type="checkbox"/> Commitment To Another District  |

**Order Setting Conditions of Release w/conditions**

- |   |
|---|
| <input type="checkbox"/> Medical Order for Treatment of Detainee entered                            |
| <input type="checkbox"/> Counsel advised to call or go to chambers for dates / given dates in court |

Remarks \_\_\_\_\_

\_\_\_\_\_ Days for Motions. Motions to be filed by \_\_\_\_\_

Trial-Bench/Jury \_\_\_\_\_ day(s) / week(s). Trial week of \_\_\_\_\_

Pre-trial Officer Helen Donovan

Temporary Order of Detention to U.S. Marshal

Minute entries docketed. Deputy Clerk: kmv

## FINANCIAL AFFIDAVIT

IN THE UNITED STATES  DISTRICT COURT  COURT OF APPEALS  OTHER (Specify below)  
IN THE CASE OF

FOR	AT	LOCATION NUMBER
		8446

PERSON REPRESENTED (Show your full name)

John Ravello

CHARGE/OFFENSE (describe if applicable &amp; check box -)

Cyber stalking

 Felony  
 Misdemeanor

- Defendant - Adult
- Defendant - Juvenile
- Appellant
- Probation Violator
- Supervised Release Violator
- Habeas Petitioner
- 2255 Petitioner
- Material Witness
- Other (Specify)

DOCKET NUMBERS
Magistrate Judge
District Court
Court of Appeals

EMPLOYMENT					
Are you now employed?		<input type="checkbox"/> Yes		<input checked="" type="checkbox"/> No <input type="checkbox"/> Self-Employed	
Name and address of employer:					
IF YES, how much do you earn per month? \$		IF NO give month and year of last employment? _____ How much did you earn per month? \$ _____			
If married, is your spouse employed?		<input type="checkbox"/> Yes		<input type="checkbox"/> No	
IF YES, how much does your spouse earn per month? \$		N/A If you are a minor under age 21, what is the approximate monthly income of your parent(s) or guardian(s)? \$ _____			
INCOME & ASSETS					
OTHER INCOME		Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
IF YES, give the amount \$ received and identify the sources \$		RECEIVED SOURCES 445 VA disability			
CASH		Do you have any cash on hand or money in savings or checking accounts? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No IF YES, total amount? \$ 150,000			
PROPERTIES		Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
IF YES, give value and description for each		VALUE DESCRIPTION 10,000 Vehicle 5,000 motorcycle			
OBLIGATIONS & DEBTS					
DEPENDENTS		MARITAL STATUS <input checked="" type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Widowed <input type="checkbox"/> Separated or Divorced		Total No of Dependents 0	List persons you actually support and your relationship to them
DEBTS & MONTHLY BILLS (Rent, utilities, loans, charge accounts, etc.)		DESCRIPTION Monthly expenses		TOTAL DEBT \$ 833	MONTHLY PAYMENT \$ 833

I certify under penalty of perjury that the foregoing is true and correct

  
 SIGNATURE OF DEFENDANT  
(OR PERSON REPRESENTED)

3/7/17

Date



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA

v.

Case No. 17-mj-0845-ADC

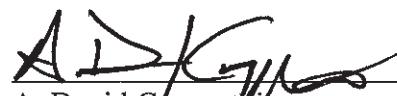
JOHN RIVELLO

\* \* \* \* \*

**ORDER APPOINTING FEDERAL PUBLIC DEFENDER**

The above named Defendant having been found to be indigent and entitled to appointment of counsel under the Criminal Justice Act, and the government having proffered that they know of no conflict precluding appointment of the Public Defender,

IT IS ORDERED this 17th day of March, 2017, that the Federal Public Defender for the District of Maryland is appointed to represent the above named Defendant.

  
A. David Copperwhite  
United States Magistrate Judge

## UNITED STATES DISTRICT COURT

for the  
District of Maryland

United States of America	)	
v.	)	Case No. 17-mj-0845-ADC
<hr/>	)	
John Rivello	)	Charging District's Case No.
<i>Defendant</i>	)	

**WAIVER OF RULE 5 & 5.1 HEARINGS  
(Complaint or Indictment)**I understand that I have been charged in another district, the (*name of other court*) \_\_\_\_\_

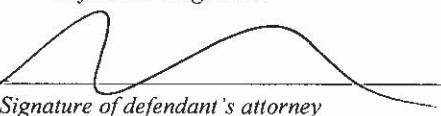
I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing within 14 days of my first appearance if I am in custody and 21 days otherwise — unless I am indicted — to determine whether there is probable cause to believe that an offense has been committed;
- (5) a hearing on any motion by the government for detention;
- (6) request transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- an identity hearing and production of the warrant.
- a preliminary hearing.
- a detention hearing.
- an identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that those hearings be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: March 17, 2017
  
 Defendant's signature
   
  
 Signature of defendant's attorney
   
 Nicholas V. Telle  
 Printed name of defendant's attorney

## UNITED STATES DISTRICT COURT

for the  
District of MarylandRECEIVED  
USMS-PRIS GPS  
BALTIMORE, MD

United States of America )  
 v. )  
 John Rivello ) Case No. 17-mj-0845-ADC  
 Defendant )  
 \_\_\_\_\_)

2017 MAR 17 P 2:51

## ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate any federal, state or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if the collection is authorized by 42 U.S.C. § 14135a.
- (3) The defendant's residence must be approved by the U.S. Pretrial Services Officer (USPTO) supervising the defendant's release and the defendant must advise the court, defense counsel, and the U.S. attorney in writing before any change in address or telephone number.
- (4) The defendant must appear in court as required and must surrender to serve any sentence imposed

The defendant must appear at (if blank, to be notified) U.S. District Court - Northern  
District of Texas on COB - Monday 3/20/17 by 5:00pm  
Place  
Date and Time

## Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that the defendant be released on condition that:

- (5) The defendant promises to appear in court as required and surrender to serve any sentence imposed.  
 (6) The defendant executes an unsecured bond binding the defendant to pay to the United States the sum of

dollars (\$ \_\_\_\_\_)

in the event of a failure to appear as required or surrender to serve any sentence imposed.

## ADDITIONAL CONDITIONS OF RELEASE

Upon finding that release by one of the above methods will not by itself reasonably assure the defendant's appearance and the safety of other persons or the community,

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

- (7) The defendant is placed in the custody of (name of person or organization): DAVID RIVELLO  
 at an address approved by the Pretrial Services Office.  
 The defendant must not change that address without advance approval by the Pretrial Services Office who agrees (a) to supervise the defendant in accordance with all of the conditions of release, (b) to use every effort to assure the defendant's appearance at all scheduled court proceedings, and (c) to notify the court immediately if the defendant violates any condition of release or disappears.

Signed: David M. Rivello

Custodian or Proxy

03-17-2017

Date

Tel. No (only if above is an organization)

1100 Commerce St. Dallas TX - ERIC CABELL Building

- (8) The defendant must:
- (a) report to the Pretrial Services - Northern District of Texas - Dallas Division telephone number \_\_\_\_\_, no later than COPB - Monday 3/20/17
- (b) report on a regular basis to the supervising officer. The defendant shall promptly obey all reasonable directions and instructions of the supervising officer.
- (c) execute a bond or an agreement to forfeit upon failing to appear as required the following sum of money or designated property:
- (d) post with the court the following proof of ownership of the designated property, or the following amount or percentage of the above-described sum
- (e) execute a bail bond with solvent sureties in the amount of \$ \_\_\_\_\_.
- (f) maintain or actively seek employment as approved by the U.S. Pretrial Services Officer.
- (g) maintain or commence an education program.
- (h) surrender any passport to: Clerk, USDC - Northern Div of TEXAS
- (i) obtain no passport.
- (j) abide by the following restrictions on personal association, place of abode, or travel:
- (k) avoid all contact, directly or indirectly, with any person who is or may become a victim or potential witness in the investigation or prosecution, including but not limited to:  
Any VICTIMS in this case
- (l) undergo medical or psychiatric treatment: AS DIRECTED by PTS -
- (m) abide by a curfew from \_\_\_\_\_ to \_\_\_\_\_
- (n) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary.
- (o) refrain from possessing a firearm, destructive device, or other dangerous weapons.
- (p) refrain from  any  excessive use of alcohol.
- (q) refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.
- (r) submit to any testing required by the pretrial services office or the supervising officer to determine whether the defendant is using a prohibited substance. Any testing may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing or monitoring which is (are) required as a condition of release.
- (s) participate in a program of inpatient or outpatient substance abuse therapy and counseling if the pretrial services office or supervising officer considers it advisable.
- (t) submit to a location monitoring program
- (i) as directed by the supervising officer; or
- (ii) restricted to the residence except for employment, education, religious services, medical purposes, substance abuse testing/treatment, mental health treatment, attorney visits, court appearances, or other court ordered obligations; or
- (iii) restricted to the residence except for medical purposes, court appearances, or other activities specifically approved by the court.
- (u) Refrain from the use of computer systems, Internet-capable devices and/or similar electronic devices at any location (including employment or educational program) without the prior written approval of the U.S. Probation or Pretrial Services Officer. The defendant shall cooperate with the U.S. Probation and Pretrial Services Office monitoring of compliance with this condition. Cooperation shall include, but not be limited to, participating in a Computer & Internet Monitoring Program, identifying computer systems, Internet-capable devices and/or similar electronic devices the defendant has access to, allowing the installation of monitoring software/hardware at the defendant's expense, and permitting random, unannounced examinations of computer systems, Internet-capable devices and similar electronic devices under the defendant's control.
- (v) 24/7 Lockdown of Defendant's Residence until TRAVEL TO TEXAS - court can't from PTS
- (w) Father to Remove ALL firearms from residence  
NO INTERNET ACCESS WHATSOEVER

**ADVICE OF PENALTIES AND SANCTIONS**

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

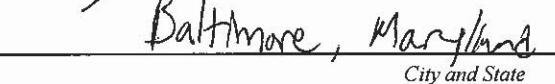
If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more - you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years - you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony - you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor - you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

**Acknowledgment of the Defendant**

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.

  
Defendant's Signature  
Baltimore, Maryland

City and State

**Directions to the United States Marshal**

- The defendant is ORDERED released after processing.  
 The United States Marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date: March 17, 2017

  
Judicial Officer's Signature

A. David Copperthite, United States Magistrate Judge

Printed name and title